

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

JESSE ARTHUR BISHOP,

Plaintiff,

v.

Civil Action No. 3:13cv94

CAROLYN W. COLVIN,
Commissioner of Social
Security,

Defendant.

ORDER

Having reviewed the REPORT AND RECOMMENDATION of the Magistrate Judge entered herein on November 15, 2013 (Docket No. 13), the BRIEF OF PLAINTIFF JESSE A. BISHOP OBJECTING TO THE REPORT AND RECOMMENDATION OF JUDGE NOVAK (Docket No. 14), the DEFENDANT'S RESPONSE TO PLAINTIFF'S OBJECTIONS TO THE MAGISTRATE'S REPORT AND RECOMMENDATION (Docket No. 15), and having considered the record and the REPORT AND RECOMMENDATION and finding no error therein, it is hereby ORDERED that:

(1) The BRIEF OF PLAINTIFF JESSE A. BISHOP OBJECTING TO THE REPORT AND RECOMMENDATION OF JUDGE NOVAK (Docket No. 14) is overruled;

(2) The REPORT AND RECOMMENDATION of the Magistrate Judge (Docket No. 13) is adopted on the basis of the reasoning of the REPORT AND RECOMMENDATION;

(3) The plaintiff's MOTION FOR SUMMARY JUDGMENT (Docket No. 7)
is denied;

(4) The DEFENDANT'S MOTION FOR SUMMARY JUDGMENT (Docket No. 9)
is granted; and

(5) The Commissioner's decision is affirmed.

It is further ORDERED that the issues are adequately addressed by the briefs and oral argument would not materially aid the decisional process.

It is so ORDERED.

/s/ *REP*

Robert E. Payne
Senior United States District Judge

Richmond, Virginia
Date: December 30, 2013